

VZCZCXRO6777
RR RUEH DU RUEHJO RUEHMR RUEHRN
DE RUEHLS #1269/01 2620453
ZNR UUUUU ZZH
R 190453Z SEP 06
FM AMEMBASSY LUSAKA
TO RUEHC/SECSTATE WASHDC 3181
INFO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

UNCLAS SECTION 01 OF 02 LUSAKA 001269

SIPDIS

SENSITIVE

SIPDIS

E.O. 12958: N/A

TAGS: [PGOV](#) [ZA](#)

SUBJECT: Electoral Commission Says It Is Prepared for National Polls

Refs: A. Lusaka 702, B. Lusaka 674, C. Lusaka 535

Summary

1. (SBU) The Electoral Commission of Zambia (ECZ) is confident that it will be fully prepared to conduct Zambia's tripartite elections on September 28, according to ECZ Chairperson Justice Irene Mambilima. The ECZ is in the process of packing ballots for distribution and expects all polling stations to have ballots by September 26. The ECZ is aware of violations of the electoral code of conduct, including reports that traditional leaders are exerting improper influence on their subjects, that many electoral complaints are being overlooked, and that media coverage of political parties has been unequal. Justice Mambilima is particularly concerned about unfair media coverage and has spoken with media leaders and the Ministry of Information and Broadcasting about the need for balanced coverage. Cooperating partners agree that the ECZ has done a commendable job of preparing for the September 28 election. However, the Commission has been limited by a weak electoral law. End Summary.

Ballots to Polling Stations

2. (SBU) In a September 14 briefing for Chiefs of donor Missions, Electoral Commission of Zambia (ECZ) Chairperson Justice Irene Mambilima said that she is confident that the ECZ will be prepared to conduct Zambia's tripartite elections, scheduled for September 28. The ECZ is pleased with the progress of ballot printing, which is ongoing in Durban, South Africa, Justice Mambilima said. The printing of the presidential ballots was completed last week. Ballots began arriving in Lusaka on September 9, together with ballots for parliamentary candidates in five provinces. The remaining parliamentary ballots, as well as the ballots for local elections, arrived in Zambia on September 16. The ECZ is in the process of packing the ballots and will begin delivering them to districts on September 22 using ECZ vehicles. District electoral officers will then distribute the ballots to polling stations. All polling stations should have the ballots by September 26, the Justice said.

Electoral Code Violations

3. (SBU) Donors raised concerns regarding the conduct of election campaigns, including the undue influence some traditional leaders appear to be exerting on their subjects, reports that many minor electoral malpractices are overlooked, and that media coverage is not always fair or balanced. Justice Mambilima said she was aware of these problems and stressed that traditional leaders should remain neutral with regard to candidates and should not attempt to influence their subjects. Leaders who are trying to influence their subjects should be counseled, the Justice suggested, noting that local conflict resolution committees could also play a role in the process. The ECZ will also raise the subject of traditional

leaders' influence with the media, in order to educate leaders as well as their subjects. She also noted that ongoing voter education efforts should raise the awareness of subjects regarding their rights as voters.

¶4. (SBU) The ECZ has received many complaints involving minor cases of electoral malpractice, Justice Mambilima acknowledged. In most cases, the ECZ calls in violators to counsel them on the electoral law and code of conduct. Conflict resolution committees also receive complaints, which are resolved through counseling. In some cases, electoral violations are reported directly to the police or to the Anti-Corruption Commission. The ECZ does not know how many cases have been investigated by these law enforcement agencies.

Unbalanced Media Coverage

¶5. (SBU) Media coverage of political parties and campaigns is a "real concern," the Justice said, noting in particular that unbalanced television coverage on the state-owned Zambia National Broadcasting Company (ZNBC) has been an ongoing problem. Justice Mambilima recently spoke with ZNBC management to tell them that their coverage of the elections was "totally unacceptable" and that it could not continue. The Justice said that she also called other media leaders to explain the law and their obligation under the electoral code of conduct to provide fair and balanced coverage. To allow the ECZ to evaluate compliance with the law, Justice Mambilima asked the media outlets to maintain records of their news items and programming.

¶6. (SBU) Justice Mambilima noted that the Ministry of Information and Broadcasting (MIB) exerts considerable influence over ZNBC and speculated that problems with unfair coverage at ZNBC might be originating at the MIB. The Justice said that she expressed her

LUSAKA 00001269 002 OF 002

concerns about unfair media coverage to senior officials at the Ministry, including Permanent Secretary Emmanuel Nyirenda. If ZNBC did not begin providing more equitable coverage, the ECZ would ask for limits to be placed on the time the station could devote to covering the ruling Movement for Multi-party Democracy (MMD). She noted that ZNBC has the equipment it needs to cover all of the political parties and has no excuses for not doing so. The ECZ will monitor media coverage to ensure compliance with the law, the Justice emphasized. She admitted that the ECZ did not have the ability to monitor all community radio station programs, but was using community radio as part of its efforts to educate voters in remote areas.

Comment

¶7. (SBU) Cooperating partners were uniform in their praise for Justice Mambilima and her staff at the ECZ, who have gone to great lengths to ensure that the ECZ is prepared for the vote and does not repeat the mistakes of the 2001 election. Even though the ECZ has done good work, Justice Mambilima's comments revealed that the Commission's effectiveness has been limited by the weak electoral reform bill signed by the president in May 2006 (Refs A-C). In its final report submitted to government in August 2005, the Electoral Reform Technical Committee (ERTC) anticipated many of the problems acknowledged by Justice Mambilima. The government has not complied with the ERTC recommendations that it fully implement the Independent Broadcast Authority (IBA) Act and the Zambia National Broadcasting Corporation Act to ensure equitable access to the media by all political parties. In the case of the IBA, the government is appealing a court order holding it in contempt for its refusal to submit to parliament a list of independent board members compiled by media bodies in accordance with the IBA Act. The government has also failed to act on the ERTC recommendation that it amend other election-related legislation to provide law enforcement agencies, such as the Anti-Corruption Commission (ACC), with a clear mandate regarding their role in the electoral process.

PASSEN